HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16059 of 2006

Dated: 1st AUGUST 2006

Between:

Y. Koteswara Rao S/o Veeraiah, aged 35 years
R/o Ramayapalem Gram Panchayat
Marripadu Mandal, Prakasam district

… Petitioner

And:

The State Election Commissioner, Hyderabad
& 4 others.

… Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16059 of 2006

ORDER:

Heard the learned counsel.

This writ petition is filed to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, to declare the action of the 4th respondent in accepting the nomination of 5th respondent for the post of Member of 7th ward of Ramayapalem Gram Panchayat, Marripadu Mandal, Prakasam district, without considering the representation submitted by the petitioner on 20.07.2006, as wholly illegal, improper and violative of Section 19(3) of the Gram Panchayat Act 1994 and consequently direct the respondents to reject the nomination of the 5th respondent and pass such other suitable orders.

The main attack is in relation to acceptance of the nomination of the 5th respondent, though an objection on the ground of disqualification under Section 19 (3) of A.P. Gram Panchayat Act 1994 had been raised. Several factual details had been narrated in the affidavit filed in support of the petition. It is needless to say the writ Court cannot gone into those factual details at this stage. Even otherwise, the petitioner is having a remedy by way of Election Petition.

With the above observation, the writ petition is disposed of. No order as to costs.

P.S. NARAYANA, J

Dated: 1st AUGUST 2006
BSS/MDAA